

860729

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, JULY 29, 1986

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR
CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 9:53 a.m. The meeting was recessed by Mayor O'Connor at 11:51 a.m. to reconvene at 3:00 p.m.

The meeting was reconvened by Mayor O'Connor at 3:03 p.m. with Council Members Wolfsheimer, Jones, Struiksma and McCarty not present. Mayor O'Connor adjourned the meeting at 4:00 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-excused by R-266195
(vacation)
- (6) Council Member Gotch-present
- (7) Council Member McCarty-excused by R-266245
(vacation)
- (8) Council Member Martinez-present
Clerk-Abdelnour (bb)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-not present
- (5) Council Member Struiksma-not present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-not present
- (8) Council Member Martinez-present

ITEM-200:

Two actions relative to a Special Municipal Election to be

held on November 4, 1986:

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Subitem-A: (O-87-12) INTRODUCED AND ADOPTED AS AMENDED AS
ORDINANCE O-16692 (New Series)

Introduction and adoption of an Ordinance ordering, calling, providing for and giving notice of a Special Election to be held in the City on November 4, 1986, for the purpose of submitting to the qualified voters of the City of San Diego one proposition amending the Charter of the City of San Diego, by adding Charter Section 2.1, relating to off-shore oil drilling; one proposition adopting an Ordinance amending the People's Ordinance O-7691 and Chapter VI, Article 6 of the San Diego Municipal Code, by amending Section 66.0123, relating to the Collection and Disposal of City Refuse; and one proposition amending the Progress Guide and General Plan for the City of San Diego to redesignate certain parcels of land from "Future Urbanizing" to "Planned Urbanizing".

Subitem-B: (R-87-146 Rev.) ADOPTED AS AMENDED AS RESOLUTION
R-266318

Adoption of a Resolution requesting the consolidation of a Special Municipal Election to be held in the City of San Diego on November 4, 1986, with the Statewide General Election to be held on the same date.

FILE: MEET

COUNCIL ACTION: (Tape location: D102-E108.)

Trailed from Monday, July 28, 1986.

Testimony in favor of Genstar Land Swap by Alan Perry and Mim Scott.

Testimony in opposition to Genstar Land Swap by Jay Powell.

Motion by Gotch to adopt version A, the resolution and the impartial analysis presented in the City Attorney's memorandum of July 29, 1986 regarding the Genstar Land Exchange. Second by Cleator. Passed: Yeas-2,3,6,8,M. Not present-1,4,5,7.

Motion by Cleator to approve the suggested language submitted by the City Manager in document 7-29-86-A regarding Refuse Collection (People's Ordinance) to be incorporated into Ordinance O-87-12. Second by McColl. Passed: Yeas-2,3,6,8,M. Not present-1,4,5,7.

MOTION BY MCCOLL TO ADOPT SUBITEMS-A AND B AS AMENDED. Second by Martinez. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, Jones-not present,

Struiksmas-not present, Gotch-yea, McCarty-not present,
Martinez-yea, Mayor O'Connor-yea.

ADDITIONAL BUSINESS: (R-87-205) ADOPTED AS RESOLUTION
R-266319

During consideration of Item 200, Council adopted the following
resolution:

Declaring the intention of the City Council regarding the
proposed land exchange with Genstar Development, Inc. to dedicate
as park land 291 acres received from Genstar as a part of the Los
Penasquitos Canyon Preserve.

FILE: MEET

COUNCIL ACTION: (Tape location: D102-E108.)

MOTION BY GOTCH TO ADOPT THE RESOLUTION. Second by Cleator.

Passed by the following vote: Wolfsheimer-not present,
Cleator-yea, McColl-yea, Jones-not present, Struiksmas-not
present, Gotch-yea, McCarty-not present, Martinez-yea, Mayor
O'Connor-yea.

ITEM-310: PRESENTED AND WELCOMED BY COUNCIL

Welcoming 8 visitors from Lafayette Elementary School, who
will attend this meeting accompanied by Edith Johnson.

This group will arrive at approximately 10:00 a.m.

(District-5.)

FILE: MEET

COUNCIL ACTION: (Tape location: A565-573.)

ITEM-330: (R-86-2589) CONTINUED TO AUGUST 5, 1986, AT 10:00
A.M.

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance, in the matter of the Eastgate Technology Park
Landscape Maintenance District.

(University Community Area. District-1.)

CITY MANAGER REPORT: This action establishes the assessments
for the maintenance of medians, streetscapes and open space in
the Eastgate Technology Park Landscape Maintenance District for
the last half of Fiscal Year 1987. The developer of the
subdivision will continue to provide all necessary maintenance
through the first half of the Fiscal Year 1987. The proposed
maintenance costs for the district for the last half of the
Fiscal Year 1987 are as follows:

Maintenance:

(medians, streetscapes and

open space)	\$43,400
Incidentals	4,340
Total Expense	\$47,740
Reserve	4,774
Total	\$52,514

Less Carry-over and Interest

-0-Less City Contribution \$ 1,770

Assessed to District \$50,744

Assessments are based on the net pad sizes of the lots within the district which for the last half of the Fiscal Year 1987 corresponds to approximately \$420 per acre. The City currently owns all of the parcels in the district and will fund parcel assessments until each is sold.

FILE: STRT M-122

COUNCIL ACTION: (Tape location: C310-365.)

Hearing began at 11:42 a.m. and halted at 11:44 a.m.

Motion by McColl to adopt. Second by Wolfsheimer. No vote taken.

MOTION BY WOLFSHEIMER TO CONTINUE TO AUGUST 5, 1986, AT 10:00 A.M. AT HER REQUEST. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmá-not present, Gotch-yea, McCarty-not present, Martinez-yea, Mayor O'Connor-yea.

ITEM-331: (R-86-2535) ADOPTED AS RESOLUTION R-266314

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Lopez Canyon Stormwater Retention Basin Maintenance District.

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: This action establishes the annual assessment for Lopez Canyon Stormwater Retention Basin Maintenance District. The district provides maintenance for the retention basin. The Fiscal Year 1987 proposed maintenance costs for the district are as follows:

Annual Maintenance	\$ 1,500
Incidentals	1,500
Total Expense	\$ 3,000
Reserve	4,300
Major Maintenance Reserve	\$10,000
Total	\$17,300
Less Carry-over and Interest	\$17,300
Assessed to District	\$

-0-No assessments to the district are proposed for this fiscal year

due to the amount of carry-over and interest from Fiscal Year 1986. The amount assessed to the district in Fiscal Year 1986 was \$3,120. The anticipated annual maintenance consists of debris and silt removal as required. The major maintenance would consist of repairs to the dike or flow structure which might result from a major storm. The major maintenance reserve will be sustained annually at the \$10,000 level through assessment adjustments as required.

FILE: STRT M-121

COUNCIL ACTION: (Tape location: C401-445.)

Hearing began at 11:47 a.m. and halted at 11:48 a.m.

MOTION BY CLEATOR TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmma-not present, Gotch-yea, McCarty-not present, Martinez-yea, Mayor O'Connor-yea.

ITEM-332: (R-86-2458) CONTINUED TO AUGUST 5, 1986, AT 10:00 A.M.

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Campus Point Landscape Maintenance District.

(University Community Area. District-1.)

CITY MANAGER REPORT: This action establishes the annual assessment for the Campus Point Landscape Maintenance District. The district provides for the maintenance of 25 acres of open space. The Fiscal Year 1986 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$11,008
Water and Electrical Service	4,034
Incidentals	8,663
Total Expenses	\$23,705
Reserve	12,371
Total	\$36,076
Less Carry-over and Interest	26,000
Less City Contribution	625
Assessed to District	\$ 9,451

The proposed amount to be assessed to the district in Fiscal Year 1987 is approximately \$165 per acre, 45 percent less than the amount in Fiscal Year 1986. The nine parcels in the district range in size from 31. acres to 14.6 acres. The decrease in the assessment amount for Fiscal Year 1987 is due to a larger carry-over from Fiscal Year 1986.

FILE: STRT M-118

COUNCIL ACTION: (Tape location: C310-365.)

Hearing began at 11:42 a.m. and halted at 11:44 a.m.

Motion by McColl to adopt. Second by Wolfsheimer. No vote taken.

MOTION BY WOLFSHEIMER TO CONTINUE TO AUGUST 5, 1986, AT 10:00 A.M. AT HER REQUEST. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-not present, Martinez-yea, Mayor O'Connor-yea.

ITEM-333: (O-86-223) INTRODUCED, TO BE ADOPTED AUGUST 11, 1986

Matter of rezoning a portion of Lots 4 and 5 of Pueblo Lot 1111 Amended, CC 13838 and a portion of Lot 366 of Valle Vista Terrace, Map-1081 (approximately 8.68 acres), in the Uptown Community Plan area, from Zones M-1, R1-5000, R-1500, and R1-40000 to Zones OS-P (Open Space-Population based) and OSP (Open Space Parks) (portions HR). The site is located in the northwest quadrant of Adams Avenue and Panorama Street.

(Case-86-0319. District-2.)

Introduction of an Ordinance for OS-P and OS-OSP Zoning.

FILE: --

COUNCIL ACTION: (Tape location: C446-450.)

Hearing began at 11:48 a.m. and halted at 11:49 a.m.

MOTION BY CLEATOR TO INTRODUCE. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, McCarty-not present, Martinez-yea, Mayor O'Connor-yea.

ITEM-334: (R-87-) CONTINUED TO AUGUST 19, 1986, AT 10:00 A.M.

Matter of the appeal of Leonard B. Simon, et al, from the decision of the Planning Commission in approving Tentative Map TM-86-0237 (Desind Parcel Map), for a land division proposing to divide one lot into two lots for single-family residential development. The subject property is located at 6705 Robbins Way, in Zone R1-5000, in the University South Community Plan area, and is further described as Lot 349, University Village, Unit 5, Map-6495.

(TM-86-0237. District-1.)

Adoption of a Resolution granting the appeal and denying the map or denying the appeal and granting the map with

appropriate findings to support Council action.

FILE: SUBD Desind Parcel Map

COUNCIL ACTION: (Tape location: C381-400.)

Hearing began at 11:45 a.m. and halted at 11:47 a.m.

MOTION BY WOLFSHEIMER TO CONTINUE TO AUGUST 19, 1986, AT 10:00 A.M. AT THE REQUEST OF THE UNIVERSITY CITY PLANNING GROUP.

Second by Martinez. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksma-not present, Gotch-yea, McCarty-not present,
Martinez-yea, Mayor O'Connor-yea.

ITEM-335: (R-86-) CONTINUED TO SEPTEMBER 9, 1986, AT
10:00 A.M.

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Appeal of Hillyer & Irwin, Attorneys, by William Hillyer,
from the decision of the Historical Site Board in their
historical designation of the buildings and landscaping
that comprises the Green Dragon Colony Site. The subject
property is located at 1258-74 Prospect Street, in the La
Jolla Community Plan area, and is more particularly
described as Lots 30, 31 and 32, Block 59, La Jolla Park,
Map-352.

(District-1.)

Adoption of a Resolution approving or denying the
historical designation of the Green Dragon Colony Site,
with appropriate findings to support Council action.

FILE: GENL - Historical Site Board

COUNCIL ACTION: (Tape location: C366-380.)

Hearing began at 11:44 a.m. and halted at 11:45 a.m.

MOTION BY WOLFSHEIMER TO CONTINUE TO SEPTEMBER 9, 1986, AT 10:00 A.M. AT THE REQUEST OF ROBERT MOSHER FOR FULL COUNCIL. Second

by Martinez. Passed by the following vote: Wolfsheimer-yea,
Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present,
Gotch-yea, McCarty-not present, Martinez-yea, Mayor
O'Connor-yea.

ITEM-336: (R-86-2503 Rev.1) ADOPTED AS RESOLUTION R-266315

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(Continued from the meeting of June 30, 1986, Item 201, at
the developer's request.)

Authorizing the execution of an agreement with Carmel
Mountain Ranch allowing the developer to record a final map
without first obtaining approval of a Planned Commercial
Development, but instead, requiring that a Planned

Commercial must be obtained before any permits for construction of buildings will be issued by the City of San Diego.

(Rancho Carmel Community Area. District-1.)

CITY MANAGER REPORT: As a condition of Tentative Map Resolution No. 3929, a Planned Commercial Development Permit must be approved by the Director of Planning prior to the recording of the final map, TM-84-0857. The developer is requesting to enter into an agreement which would allow the map to record in lieu of a P.C.D., with the understanding that no building permits would be issued until a P.C.D. is processed and approved. This agreement would satisfy the Tentative Map Resolution requirement No. 14, and allow the map to record upon satisfaction of all other conditions contained in the Resolution.

FILE: SUBD Carmel Mountain Ranch CONFY87-1

COUNCIL ACTION: (Tape location: C451-454.)

MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, McCarty-not present, Martinez-yea, Mayor O'Connor-yea.

ITEM-S401: (R-87-109) ADOPTED AS RESOLUTION R-266316

Authorizing the execution of a first amendment to the agreement with the San Diego Convention and Visitors Bureau, relating to the operation of the Downtown Marketing Consortium.

FILE: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A015-089.)

MOTION BY MARTINEZ TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, McCarty-not present, Martinez-yea, Mayor O'Connor-yea.

ITEM-S500:

Two actions relative to Sewer Pump Station No. 64:

Subitem-A: (O-87-11) INTRODUCED, TO BE ADOPTED AUGUST 11, 1986

Introduction of an Ordinance limiting the issuance of building permits which require sewer hookups in the Sewer Pump Station No. 64 service area within the City of San Diego.

Subitem-B: (O-87-20) RECONSIDERED AND CONTINUED TO
AUGUST 4, 1986

The matter of the consideration of the extension of the
Emergency Ordinance, pursuant to Section 17 of the San
Diego City Charter, limiting the issuance of building
permits and the approval of projects which require sewer
hookups in the Sewer Pump Station No. 64 service area
within the City of San Diego.

(Six votes required.)

FILE: MEET

COUNCIL ACTION: (Tape location: A090-564; A574-C319.)

MOTION BY WOLFSHEIMER TO INTRODUCE SUBITEM A. Second by
Martinez. Passed by the following vote: Wolfsheimer-yea,
Cleator-nay, McColl-yea, Jones-nay, Struiksma-not present,
Gotch-yea, McCarty-not present, Martinez-yea, Mayor
O'Connor-yea.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEM B. Second by Martinez.
Failed due to a lack of 6 affirmative votes: Wolfsheimer-yea,
Cleator-nay, McColl-yea, Jones-nay, Struiksma-not present,
Gotch-yea, McCarty-not present, Martinez-yea, Mayor
O'Connor-yea.

MOTION BY CLEATOR TO RECONSIDER THE EMERGENCY ORDINANCE
(O-87-20) AND CONTINUE TO AUGUST 4, 1986, AT MAYOR O'CONNOR'S
REQUEST. Second by Martinez. Passed by the following vote:
Wolfsheimer-not present, Cleator-yea, McColl-yea, Jones-not
present, Struiksma-not present, Gotch-yea, McCarty-not present,
Martinez-yea, Mayor O'Connor-yea.

ITEM-UC-3: (R-87-179) ADOPTED AS RESOLUTION R-266317

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Declaring July 29, 1986, as Sanyo Day in the City of San
Diego.

FILE: MEET

COUNCIL ACTION: (Tape location: C455-460.)

MOTION BY MARTINEZ TO ADOPT. Second by Cleator. Passed by the
following vote: Wolfsheimer-not present, Cleator-yea,
McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea,
McCarty-not present, Martinez-yea, Mayor-vacant.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor
O'Connor at 4:00 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: E109-110).